

GP. 16448
Patent
223/051
#5
JF
8/31/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Dupre et al.

Serial No.: 08/737,446

Filed: January 10, 1997

For: TREATMENT OF DIABETES



Group Art Unit: 1644 RECEIVED
Examiner: Nolan, P. AUG 26 1999

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In compliance with the Applicants' duty under 37 CFR 1.97-98, the following information is brought to the attention of the Examiner.

The items identified in this Information Disclosure Statement may or may not be "material" pursuant to 37 CFR 1.56 and the submission thereof by Applicants shall not be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR 1.97(h)), or even qualifies as "prior art" under 35 U.S.C. § 102 with respect to this invention unless specifically designated by Applicants as such.

08/25/1999 MMARHOL 00000048 08737446
01 FC:126 240.00 0P

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Jeanne M. Snyder

Name of Person Mailing Paper

August 18, 1999
Date of Deposit

Signature of Person Mailing Paper

The filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR 1.56, exists.

The attached Information Disclosure Statement is being filed in accordance with 37 CFR §§ 1.97(c) and 1.98. This Information Disclosure Statement is being filed after an action on the merits but before a Final Action under § 1.113 or a Notice of Allowance under § 1.311. Enclosed is a check in the amount of \$240.00 to cover the fee pursuant to 37 CFR § 1.17(p). The Examiner is hereby authorized to charge any additional fee required by this paper to Lyon & Lyon's Deposit Account No. **12-2475**.

Respectfully submitted,

LYON & LYON LLP

Dated: August 17, 1999

By:

CSB
Charles S. Berkman
Reg. No. 38,077

CSB:jms
633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066
(213) 489-1600

SD-126217.1